

# United States District Court District of Massachusetts

DAVID COX,  
Plaintiff,

V.

CIVIL ACTION NO. 2005-11608-GAO

RYAN MARINI,  
SEAN BORDWELL,  
ANDREW KIRIAKOS,  
Defendants.

## **REPORT RE: REFERENCE FOR ALTERNATIVE DISPUTE RESOLUTION TO JUDGE**

COLLINGS, U.S.M.J.

On July 16, 2008, I held the following ADR proceeding:

\_\_\_\_\_ EARLY NEUTRAL EVALUATION

\_\_\_X\_\_\_ MEDIATION

\_\_\_\_\_ MINI-TRIAL

\_\_\_\_\_ SUMMARY JURY TRIAL

The plaintiff and his attorney was present; the defendants Kiriakos and Marini were present in person; the defendant Bordwell appeared telephonically, Attorneys for all three defendants were present in person.

[X] The case was NOT SETTLED. Further efforts to settle the case at this time are unlikely to be successful. *A discovery schedule should be set ASAP; a trial date should also be set, either before the District Judge or before Magistrate Judge Dein if the parties consent.*

July 16, 2008

DATE

*Robert B. Collings*

ROBERT B. COLLINGS

United States Magistrate Judge

Copy to: Judge O'Toole  
Rebecca Tyler, Esquire